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21 *GERARDO CABANILLAS*

22 **UNITED STATES DISTRICT COURT**  
23 **CENTRAL DISTRICT OF CALIFORNIA**

24 GERARDO CABANILLAS,

25 Plaintiff,

26 v.

27 CITY OF SOUTH GATE et al.

28 Defendants.

Case No.: 2:24-cv-08027-ODW-BFM

29 **DECLARATION OF ALISON R.**  
**LEFF IN SUPPORT OF**  
**PLAINTIFF'S APPLICATION TO**  
**COURT FOR ENTRY OF DEFAULT**

30 I, Alison R. Leff, declare as follows under 28 U.S.C. § 1746:

31 1. I am counsel for Plaintiff Gerardo Cabanillas.

32 2. I am over 18 years old and have personal knowledge of the facts in  
33 this declaration.

34 3. I caused a copy of the complaint in this case to be filed on September  
35 19, 2024. ECF No. 1.

36 4. My firm promptly provided a copy of the issued summonses for all  
37 defendants and the filed complaint to a process server and arranged for service

1 | upon each defendant.

2       5. My firm received returned summonses from the process server for  
3 each defendant.

4       6. According to the process server's affidavits, John Navarette was  
5 served on October 18, 2024, and Anthony Porter was served on October 20, 2024.  
6 ECF Nos. 52 and 53.

7       7. Under Fed. R. Civ. P. 12(a), these Defendants had 21 days—until  
8 November 8, 2024, for John Navarette and November 12, 2024, for Anthony  
9 Porter—to respond to the complaint.

10        8. Neither defendant has answered the complaint or otherwise  
11 responded to it.

12       9.     The Complaint alleges these two defendants were employees of the  
13 City of Huntington Park at all times relevant to this lawsuit.

14       10. On October 25, 2024, Defendant Navarette contacted Plaintiff's  
15 counsel Steve Art by email. In his email, Mr. Navarette acknowledged service of  
16 the lawsuit and said he "would be contacting [his] former agency to see who will  
17 be representing the City of Huntington Park in this matter."

18        11. On October 29, 2024, I called the clerk of the City of Huntington  
19 Park to inquire about the City's nonresponse to this lawsuit. I left a message with a  
20 receptionist at the clerk's office. No one returned my call.

21       12. As far as Plaintiff is aware, the defaulting parties are not infants or  
22 incompetent people, as contemplated by Local Rule 55-1(c).

23       13. As far as Plaintiff is aware, the Servicemembers Civil Relief Act does  
24 not apply to any of the defaulting defendants.

26 || Dated: November 13, 2024

/s/ Alison R. Leff

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Alison R. Leff

## One of Plaintiff's Attorneys